

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
INDEPENDENT ASSET MANAGEMENT,	:	Index No. 07-CV-6431 (JSR)
LLC,	:	
	:	ECF
	:	
Plaintiff,	:	PLAINTIFF'S PRE-TRIAL
	:	DISCLOSURES PURSUANT
- against -	:	<u>TO RULE 26(a)(3)</u>
	:	
DANIEL ZANGER,	:	
	:	
Defendant.	:	
-----X		

Pursuant to Rule 26 of the Federal Rules of Civil Procedure and the Individual Practice of Judge Rakoff, Plaintiff Independent Asset Management ("Plaintiff" or "IAM") serves upon Defendant Daniel Zanger ("Defendant" or "Zanger") the attached pre-trial disclosures.

Plaintiff reserves the right to supplement or amend these disclosures as needed.

Dated: New York, New York
July 1, 2008

Respectfully submitted,

s/ Craig Stuart Lanza
Craig Stuart Lanza (CL-2452)
John Balestriere (JB- 3247)
BALESTRIERE LANZA PLLC
225 Broadway, Suite 2900
New York, NY 10007
Telephone: (212) 374-5400
Facsimile: (212) 208-2613
Attorneys for Plaintiff

ATTACHMENT A**LIST OF EXHIBITS THAT PLAINTIFF INTENDS TO USE AT TRIAL**

Exhibit	Bates Numbers	Date	Description
1	IAM 004222 - 004225	9/28/2004	Draft agreement between IAM and Zanger
2	IAM 004226 - 004229	10/18/2004	Draft agreement between IAM and Zanger
3	IAM 000005 - 000016	9/9/05	Agreement with Goldman Sachs
4	IAM 006363 - 006367	10/20/04	Agreement between IAM and Zanger
5	IAM 004234 – 004238	3/21/05	Addendum between IAM and DZ
6	IAM 002528 - 002533	9/27/2004	Email from Szele to Zanger
7	IAM 002541 - 002544	10/22/2004	Email from Szele to Zanger
8	IAM 002552	11/3/2004	Email from Szele to Zanger
9	IAM 002685 - 002686	2/3/2005	Email from Zanger to Szele
10	IAM 006245 - 006246	3/16/2005	Email from BFS to Zanger
11	IAM 002760 - 002761	3/21/2005	Email from Szele to Zanger
12	IAM 002821	4/28/2005	Email from Szele to Zanger
13	IAM 002865 - 002866	5/23/2005	Email from Szele to Zanger
14	IAM 000830 - 000832	5/23/2005	Email from Szele about Victory Lane.
15	IAM 002879 - 002881	5/23/2005	Email from Szele to Zanger
16	IAM 000081	6/10/2005	Email from Arturo to Szele
17	IAM 000151 - 000155	7/15/2005	Email from Szele to Arturo
18	IAM 003174 - 003175	12/1/2005	Email from Szele to Zanger
19	IAM 000307 - 000308	1/12/2006	Email from Arturo to Zanger
20	IAM 001218	2/14/2006	Email from BFS
21	IAM 000330 - 000335	4/10/2006	Email from Porco to Arturo
22	IAM 006251	6/6/2006	Email from Zanger to Szele
23	DZ 704	6/9/2006	Email from Szele to Zanger
24	DZ 20 - 21	7/5/2006	Email from BFS
25	IAM 001354 - 001355	7/10/2006	Email from BFS
26	IAM 000377 - 000379	7/10/2006	Email from Arturo to Szele.
27	IAM 000400	7/12/2006	Email from Szele to Arturo
28	IAM 004010 - 004013	9/17/2006	Email from Szele to Zanger.
29	IAM 004019 - 004020	9/22/2006	Email from Szele to Zanger
30	IAM 000421 - 000424	10/12/2006	Email from Arturo to Szele.

31	IAM 001447 - 001449	10/19/2006	Email from Szele to BFS
32	IAM 000430 - 000432	10/19/2006	Email from Szele to Arturo
33	IAM 000433 - 000435	10/19/2006	Email from Arturo to Szele
34	DZ 833	10/30/2006	Email from Zanger to IAM
35	DZ 223 - 226	11/8/2006	Email from BFS to Zanger
36	DZ 1012	11/10/2006	Email from Szele to Zanger
37	IAM 000455 - 000458	11/10/2006	Email chain about day trading call
38	IAM 000459 - 000460	11/10/2006	Email from Gia about day trading call
39	IAM 006227 - 006228	11/15/2006	Email from BFS to Szele.
40	IAM 000461 - 000462	11/17/2006	Email from Arturo
41	IAM 000494 - 000495	12/1/2006	Email from Arturo
42	IAM 000496 - 000503	12/1/2006	Email from Arturo
43	IAM 000516 - 000517	12/4/2006	Email from Arturo
44	IAM 000518 - 000521	12/8/2006	Email from Arturo
45	IAM 004197	12/23/2006	Email from Szele to Zanger
46	IAM 004200 - 004202	1/3/2007	Email from Szele to Zanger
47	IAM 004209 - 004211	1/10/2007	Email from Szele to Zanger
48	IAM 001655	1/30/2007	Email from Szele to Robertson
49	DZ 4 - 5	6/1/2007	Email from BFS to Zanger
50	IAM 000600 - 000601	12/1/06	Letter from BFS to Szele
51	IAM 000598	8/7/07	Letter from BFS to Szele
52	IAM 006311 - 006323	10/1/2004	DesignGuide.com Business Plan
53	IAM 006287	4/20/2005	Check from Zanger to IAM
54	DZ 915 - 916	7/14/2005	Check and letter from IAM to Zanger
55	IAM 006290	9/26/2005	Check from Zanger to IAM
56	IAM 006274, DZ 930-931	1/20/2006	Check from IAM to Zanger
57	IAM 006272, DZ 949	4/21/2006	Check from IAM to Zanger
58	IAM 006255 - 006265	2/1/2005	Subscription documents
59	IAM 006261 - 006266	3/2/2005	Subscription documents
60	IAM 006346 - 006350, 006503 - 006511		IAM financial documents
61	DZ 25 – 26	10/24/2006	S4 redemption notice (\$1,321,414.03)
62	DZ 27 – 28	10/24/2006	S1 redemption notice (\$128,585.97)
63	DZ 182	1/1/2007	S1 redemption note (\$2,837,800.62)

64	DZ 185	1/1/2007	S4 account summary from BFS
65	DZ 186	1/1/2007	S3 account summary from BFS
66	DZ 187	1/1/2007	S1 account summary from BFS
67	DZ 188	1/1/2007	S2 account summary from BFS
68	IAM 006415	1/6/05	IM between Szele and Zanger
69	IAM 006387	1/21/05	IM between Szele and Zanger
70	IAM 006412	1/25/05	IM between Szele and Zanger
71	IAM 006432	1/28/05	IM between Szele and Zanger
72	IAM 006376	2/1/05	IM between Szele and Zanger
73	IAM 006378	2/2/05	IM between Szele and Zanger
74	IAM 006375	2/3/05	IM between Szele and Zanger
75	IAM 006377	2/4/05	IM between Szele and Zanger
76	IAM 006431	2/11/05	IM between Szele and Zanger
77	IAM 006379	8/30/05	IM between Szele and Zanger
78	IAM 006425	9/13/05	IM between Szele and Zanger
79	IAM 006386	9/15/05	IM between Szele and Zanger
80	IAM 006429	9/22/05	IM between Szele and Zanger
81	IAM 006385	9/23/05	IM between Szele and Zanger
82	IAM 006430	10/12/05	IM between Szele and Zanger
83	IAM 006426	10/13/05	IM between Szele and Zanger
84	IAM 004239	11/4/05	IM between Szele and Zanger
85	IAM 006406	11/14/05	IM between Szele and Zanger
86	IAM 006411	11/18/05	IM between Szele and Zanger
87	IAM 006394	12/2/05	IM between Szele and Zanger
88	IAM 006422	12/14/05	IM between Szele and Zanger
89	IAM 006409	1/3/2006	IM between Szele and Zanger
90	IAM 006414	1/5/2006	IM between Szele and Zanger
91	IAM 006401	1/18/2006	IM between Szele and Zanger
92	IAM 006395	1/19/2006	IM between Szele and Zanger
93	IAM 006400	1/20/2006	IM between Szele and Zanger
94	IAM 006403	2/12/2006	IM between Szele and Zanger
95	IAM 006408	2/16/2006	IM between Szele and Zanger
96	IAM 006392	3/1/2006	IM between Szele and Zanger

97	IAM 006384	3/14/2006	IM between Szele and Zanger
98	IAM 006420	3/20/2006	IM between Szele and Zanger
99	IAM 006380	3/23/2006	IM between Szele and Zanger
100	IAM 006421	3/29/2006	IM between Szele and Zanger
101	IAM 006402	4/11/2006	IM between Szele and Zanger
102	IAM 004243	4/11/2006	IM between Szele and Zanger
103	IAM 006428	4/12/2006	IM between Szele and Zanger
104	IAM 006413	4/26/2006	IM between Szele and Zanger
105	IAM 006474	4/28/2006	IM between Szele and Zanger
106	IAM 006477	5/9/2006	IM between Szele and Zanger
107	IAM 006480	5/12/2006	IM between Szele and Zanger
108	IAM 006485	7/3/2006	IM between Szele and Zanger
109	IAM 006486	7/10/2006	IM between Szele and Zanger
110	IAM 006487	7/11/2006	IM between Szele and Zanger
111	IAM 006488	7/13/2006	IM between Szele and Zanger
112	IAM 006489	7/17/2006	IM between Szele and Zanger
113	IAM 006491	7/26/2006	IM between Szele and Zanger
114	IAM 006494	9/11/2006	IM between Szele and Zanger
115	IAM 006498	9/26/2006	IM between Szele and Zanger
116	IAM 006499	10/10/2006	IM between Szele and Zanger
117	IAM 006500	10/26/2006	IM between Szele and Zanger
118	IAM 006501	10/27/2006	IM between Szele and Zanger
119	IAM 006502	11/10/2006	IM between Szele and Zanger
120	00115 – 00117	n/a	Table of margin calls
121	n/a	3/3/2008	Deposition of Joseph Porco
122	n/a	3/5/2008	Deposition of George Szele
123	n/a	3/21/2008	Deposition of Daniel Zanger
124	n/a	3/25/2008	Deposition of Ezra Zask
125	n/a	4/1/2008	Deposition of Raymond Aronson
126	n/a	4/17/2008	Deposition of George Szele
127	n/a		Any other documents listed by Zanger

ATTACHMENT B**LIST OF WITNESSES THAT PLAINTIFF INTENDS TO CALL AT TRIAL**

Witness	Address	Telephone
Raymond Aronson	Sutter Securities 160 Riverside Blvd 33B New York, NY 10069	(212) 877-9781
Joseph Porco	Independent Asset Management, LLC 433 Roundhill Road Greenwich, CT 06831	(203) 364-1942
George Szele	Independent Asset Management, LLC 433 Roundhill Road Greenwich, CT 06831	(203) 355-1160
Daniel Zanger	4872 Topanga Cy. Blvd., Ste 401 Woodland Hills, CA 91364	(305) 534-9945

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document was served on the following counsel of record on July 1, 2008, via the methods listed below:

By ECF

Michael Silberfarb, Esq.
Jones Day
Attorneys for Defendant

s/ Craig Stuart Lanza

Craig Stuart Lanza
BALESTRIERE LANZA PLLC
225 Broadway, Suite 2900
New York, NY 10007
Telephone: (212) 374-5404
Facsimile: (212) 208-2613
Attorneys for Plaintiff